

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

STEVEN KANDAL,

Plaintiff,

Case Number: 04-10226-BC  
Honorable David M. Lawson

v.

USS GREAT LAKES FLEET, INC.,

Defendant.

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**ORDER DENYING WITHOUT PREJUDICE**  
**PLAINTIFF'S MOTIONS *IN LIMINE***

This matter is before the Court on the plaintiff's motions *in limine* seeking to exclude certain evidence at trial. The Court has reviewed the plaintiff's submissions and finds that he has not sought concurrence from the opposing party in the relief requested.

E.D. Mich. LR 7.1(a) requires a movant to seek concurrence in the relief requested before filing a motion with this Court. If concurrence is obtained, the parties then may present a stipulated order to the Court. If concurrence is not obtained, Local Rule 7.1(a)(2) requires that the moving party state in the motion that "there was a conference between the attorneys . . . in which the movant explained the nature of the motion and its legal basis and requested but did not obtain concurrence in the relief sought [ ] or . . . despite reasonable efforts specified in the motion, the movant was unable to conduct a conference." E.D. Mich. LR 7.1(a)(2).

The plaintiff does not state in his motions that concurrence was sought in the relief requested from the opposing party before filing the motion. "It is not up to the Court to expend its energies when the parties have not sufficiently expended their own." *Hasbro, Inc. v. Serafino*, 168 F.R.D. 99, 101 (D. Mass. 1996). The plaintiff has filed his motions in violation of the applicable rules.

Accordingly, it is **ORDERED** that the plaintiff's motions *in limine* [dkt # 11] are **DENIED**  
**WITHOUT PREJUDICE.**

s/David M. Lawson  
DAVID M. LAWSON  
United States District Judge

Dated: November 16, 2005

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on November 16, 2005.

s/Suzanne M. Gammon  
SUZANNE M. GAMMON